

## **MINUTES**

### **MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By **CHAIRMAN MIKE TAYLOR**, on March 27, 2001 at 9:00 A.M., in Room 422 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Mike Taylor, Chairman (R)  
Sen. Mike Sprague, Vice Chairman (R)  
Sen. Edward Butcher (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Sam Kitzenberg (R)  
Sen. Dale Mahlum (R)  
Sen. Glenn Roush (D)

**Members Excused:** Sen. Dale Berry (R)  
Sen. Don Ryan (D)

**Members Absent:** None.

**Staff Present:** Bart Campbell, Legislative Branch  
Kyanne Kelly, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 348, 3/24/2001; SB 520,  
3/24/2001  
Executive Action: SB 520; HB 348

HEARING ON HB 348

Sponsor: REPRESENTATIVE JIM SHOCKLEY, HD 61, VICTOR

Proponents: Mark Staples, Tavern Association  
Patrick Montalban, Liquor Store Owners  
Tim Dalin, East Helena Liquor Store  
Bea Lunda, Conrad Liquor Store  
Margaret Gilsey, Victor Liquor Store  
Bill Hanna, Laurel Liquor Store  
SENATOR VICKI COCCHIARELLA, MISSOULA  
Jackie Thomas, Missoula Liquor Store  
Shane Farnsworth, President Liquor Store Assoc

Opponents: None

Informational Witness: Shauna Bingham, Department of Revenue

Opening Statement by Sponsor:

*{Tape : 1; Side : A; Approx. Time Counter : 1.1}*

REPRESENTATIVE JIM SHOCKLEY, HD 61, VICTOR, said this bill would increase the commission rate the 98 liquor stores in the State of Montana receive on liquor sales. Due to the low commission rates that resulted from HB 574 in 1995 many stores are finding it uneconomical to continue in business. He further stated that if this bill is not successful in raising the commission rate many smaller stores will be forced to close.

Proponents' Testimony:

Mark Staples, Tavern Association, said in 1995 ringers came in to bid the stores at 1%, so the people had to meet these bids in order to keep their stores. He said the state has made tremendous windfalls on this, and the owners deserve to have their percentage increased.

Patrick Montalban, Liquor Store Owners, said the testimony from HB 574 in 1995 clearly shows what the intention was, and the people who run the liquor stores have not been getting this. He said the state has received 3 million dollars from this bill, and it has saved 6 million.

**EXHIBIT (bus69a01) EXHIBIT (bus69a02) EXHIBIT (bus69a03) EXHIBIT (bus69a04)**

**Tim Dalin, East Helena Liquor Store,** said he supports this bill.

**Bea Lunda, Conrad Liquor Store,** said she supports this bill.

**Margaret Gilsey, Victor Liquor Store,** said she supports this bill.

**Bill Hanna, Laurel Liquor Store,** said he supports this bill.

**SENATOR VICKI COCCHIARELLA, MISSOULA,** said she was there in 1995 when the deal was cut in the legislature and because someone had gotten their nose out of shape the deal went down different than what the legislators had originally wanted.

**Jackie Thomas, Missoula Liquor Store,** said she supports this bill.

**Shane Farnsworth, President Liquor Store Association,** said he supports this bill.

**Opponents' Testimony:** None

**Informational Witness:** Shauna Bingham, Department of Revenue, said she was available for question.

**Questions from Committee Members and Responses:**

**CHAIRMAN MIKE TAYLOR** wanted an explanation of the 288 million deficit created by implementing this bill.

**REPRESENTATIVE JIM SHOCKLEY** said sales are going up 300,000 a year anyway, so this will be a wash.

**Closing by Sponsor:**

*{Tape : 1; Side : A; Approx. Time Counter : 21.1}*

**REPRESENTATIVE JIM SHOCKLEY, HD 61, VICTOR,** said he hoped the committee would not amend this bill.

**HEARING ON SB 520**

**Sponsor:** SENATOR JOHN BOHLINGER, SD 7, BILLINGS

**Proponents:** Bob Lecoure, Boxer from Butte

**Opponents:** None

**Opening Statement by Sponsor:**

***{Tape : 1; Side : A; Approx. Time Counter : 23.8}***

**SENATOR JOHN BOHLINGER, SD 7, BILLINGS,** said this bill would provide strict guidelines for boxing clubs, and that it provides a way for people in between high school and professional boxing to pursue the sport.

**Proponents' Testimony:**

**Bob Lecoure, Boxer from Butte,** said the reason this bill was introduced was to fill the void between amateur and professional. He said this would be called club boxing.

**Opponents' Testimony:** None

**Questions from Committee Members and Responses:**

**SENATOR GLENN ROUSH** asked if this would have an effect on high school boxing.

**Bob Lecoure** said it wouldn't.

**SENATOR VICKI COCCHIARELLA** asked about Tough Man Tournaments.

**Bob Lecoure** said Club Boxing would be totally separate from Tough Man Tournaments and Tough Man rules.

**SENATOR COCCHIARELLA** wanted it to be clear that the rules of the Board of Athletics apply.

**Bart Campbell** said it is already in there in section 6.

**SENATOR COCCHIARELLA** asked whether it is \$10.00 a fight or \$10.00 a year for participants to box.

**Bob Lecoure** said it is \$10.00 a year.

**SENATOR COCCHIARELLA** said the bill should be amended to reflect that.

**SENATOR SPRAGUE** said the bill read that head gear is optional, he wanted to know who could exercise that option.

**Bob Lecoure** said it is the option of the participants.

**SENATOR SPRAGUE** asked if this has anything to do with Touch Man.

**Bob Lecoure** said no, they are two separate things.

**CHAIRMAN MIKE TAYLOR** asked if there was only one promoter in a 160 mile radius.

**Bob Lecoure** said that a promoter has a 160 mile radius, but there can be more than one promoter in that area.

**Closing by Sponsor:**

*{Tape : 1; Side : B; Approx. Time Counter : 16.7}*

**SENATOR JOHN BOHLINGER, SD 7, BILLINGS,** said this would be good for those people who are not professionals but would like to continue in this sport.

**EXECUTIVE ACTION ON SB 520**

**Motion/Vote:** **SEN. COCCHIARELLA** moved that **AMENDMENT SB052001 TO SB520 BE ADOPTED.** Motion carried unanimously.

**Motion/Vote:** **SEN. COCCHIARELLA** moved that **SB 520 DO PASS AS AMENDED.** Motion carried unanimously.

**EXECUTIVE ACTION ON HB 348**

**Motion/Vote:** **SEN. SPRAGUE** moved that **HB 348 BE CONCURRED IN.** Motion carried unanimously.

**ADJOURNMENT**

Adjournment: 9:50 A.M.

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SEN. MIKE TAYLOR, Chairman

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KYANNE KELLY, Secretary

MT/KK

**EXHIBIT (bus69aad)**